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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/976,366	10/12/2001	Daniel W. Kazmierski	42741D

CONFIRMATION NO. 2699

00109
THE DOW CHEMICAL COMPANY
INTELLECTUAL PROPERTY SECTION
P. O. BOX 1967
MIDLAND, MI 48641-1967

FORMALITIES LETTER



OC000000006962343

Date Mailed: 10/24/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

Chen Hui Young
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **Daniel W. Kazmierski et al.**

Serial No.: **09/976,366**

Group Art Unit: **1711**

Filed: **October 12, 2001**

Examiner: **Unknown**

For: **MECHANICALLY FROTHED AND CHEMICALLY BLOWN
POLYURETHANE FOAM**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE
ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, DC 20231, ON

21 December 2001

DATE OF DEPOSIT

Joslyn M. Damore

PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

Joslyn M. Damore

SIGNATURE OF PERSON SIGNING CERTIFICATE

21 December 2001

DATE OF SIGNATURE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

RECEIVED

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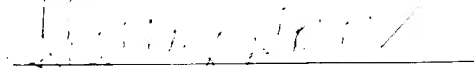
**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

A Notice to File Missing Parts of Nonprovisional Application was mailed for this Application on 24 October 2001. The Notice stated that the oath or declaration is missing. Applicant believes this Notice was provided in error. Applicant provided a copy of the declaration in accordance with 37 C.F.R. § 1.63(d)(3). That is, Applicant provided a copy of the executed declaration that was originally filed in U.S. Serial No. 08/785,077 and a copy of the decision granting a petition to accord § 1.47 status to U.S. Serial No. 08/785,077. The inventor who refused to join U.S. Serial No. 08/785,077 did not subsequently join U.S. Serial No. 08/785,077 or any other application of which this Application claims a benefit under 35 U.S.C. § 120 or § 121.

Applicant again files a copy of the declaration and a copy of the decision granting a petition to accord § 1.47 status with Part 2 of the Notice to File Missing Parts for this Application. Applicant also provides copies of the Petition under 37 C.F.R. § 1.47, Dismissal of that Petition, and Request for Reconsideration of Petition.

If a fee is still required, please charge the \$130.00 set forth in 37 C.F.R. § 1.16(e) to our Deposit Account No. 04-1512. If this amount is incorrect, please credit or debit our Deposit Account accordingly.

Respectfully submitted,



Shelley D. Storer

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SDS/jmd